



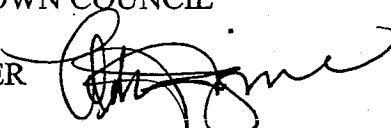
MEETING DATE: 6/05/06  
ITEM NO.

14

## COUNCIL AGENDA REPORT

DATE: May 25, 2006

TO: MAYOR AND TOWN COUNCIL

FROM: TOWN MANAGER 

SUBJECT: CONSIDER A REQUEST TO AMEND AN APPROVED PLANNED DEVELOPMENT TO MODIFY THE GRADING FOR LOTS 6 THROUGH 11 (287, 289, 291, 293, 297 & 299 MOUNTAIN LAUREL LANE) ON PROPERTY ZONED HR-5:PD. APNS 537-18-001, 567-23-042 AND 567-24-008. PROPERTY LOCATION: 17101 HICKS ROAD. FILE# PD-06-04. PROPERTY OWNER/APPLICANT: GHC SHANNON VALLEY RANCH, LLC.

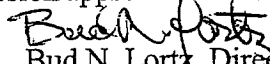
### RECOMMENDATION:

1. Hold the public hearing and receive public testimony;
2. Close the public hearing;
3. Direct the Clerk Administrator to read the title of the ordinance (**no motion required**);
4. Move to waive the reading of the ordinance (**motion required**);
5. Introduce the ordinance to effectuate Planned Development PD-06-04 (**motion required**).
6. Direct the Clerk Administrator to publish summary of the ordinance no more than five days prior to adoption (**no motion required**);

### PROJECT SUMMARY

On March 4, 2002 the Town Council approved a Planned Development (PD) for 14 single family homes on 80.3 acres located generally at the intersection of Shannon and Hicks Roads. A location map is included with the PD Ordinance (see Exhibit A). The applicant is in the process of constructing 13 new homes. The approved 14th home includes the replacement of a home that was burned down. The seller of the property retained the lot that contains the site of the burned house, and will submit plans for a replacement residence some time in the future.

On January 22, 2003 the Planning Commission approved a tentative map for the project. On January 14, 2004 the Commission approved Architecture & Site (A&S) applications for 13 new homes. The

  
PREPARED BY: Bud N. Lortz, Director of Community Development

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Reviewed by: JS Assistant Town Manager AK Town Attorney      Clerk      Finance  
     Community Development Revised: 5/25/06 4:47 pm

Reformatted: 5/30/02

The proposed areas of extended grading are located behind each of the six homes along the uphill side of Mountain Laurel Lane. The areas are delineated on each home site with stakes and yellow tape (see photos, Exhibit F). Exhibit G shows the locations the photos were taken from. Generally, for every foot of retaining wall, the rear yard will increase by four feet, so a four foot high wall will provide about 16 feet of additional depth to the yard area. The applicant's proposal includes walls that will be four feet at the highest point, and will increase the rear yard areas by 7 to 22 feet between the house and wall as measured at the center point. The revised grading plan includes a table summarizing the increase in yard areas for each of the six homes. These distances are taken from three points between the house and proposed cut bank and do not reflect varying wall locations along the rear of the houses. The grading plans shows the footprint of the houses along with the toe of slope and proposed wall locations (refer to Exhibit D to the revised PD Ordinance, Attachment 1).

A second table on the revised grading plan includes an earthwork summary that shows the total cut volume at 850 cubic yards. This material will be dispersed elsewhere on the site and will not need to be hauled away. Some dirt will be used to backfill previously approved walls, and some will be spread in open space areas.

The proposed retaining walls will all be situated below the v-ditch that was previously installed as part of site drainage improvements and will be within an **artificially created slope area** (as opposed to a native slope) that was established with the construction of the v-ditch. The walls will not be visible from any off-site views, and will be screened from the internal streets by the houses and new landscaping. The walls will be scored precast concrete that will be painted a dark earthtone color to help blend them with the hillside.

#### SUMMARY OF PROJECT REVIEW

On April 12, 2006 the Planning Commission considered the applicant's request. The Commission had an extensive discussion and voted 5-2 to not recommend approval of the applicant's request. The Commission raised concerns about allowing additional grading, the style and appearance of the retaining walls, and whether the proposal is consistent with the Hillside Development Standards & Guidelines (HDS&G). The Commission did not come to a consensus on any of these issues (see verbatim meeting minutes, Attachment 3).

Because of the Planning Commission discussion, staff is providing some information on the types of projects that a homeowner could do without permits or the need for discretionary approvals, as listed below:

- retaining walls with less than three feet of exposed height (unless a grading permit is required)
- trellises or other structures that do not exceed 120 square feet
- at grade patios

Date: April 6, 2006  
For Agenda Of: April 12, 2005  
Agenda Item: 4

REPORT TO: The Planning Commission  
FROM: The Development Review Committee  
LOCATION: 17101 Hicks Road  
Planned Development Application PD-06-04

Requesting approval to modify an approved Planned Development to modify the grading for lots 6 through 11 (287, 289, 291, 293, 297 & 299 Mountain Laurel Lane) on property zoned HR-5:PD. APNS 537-18-001, 567-23-042 and 567-24-008.

PROPERTY OWNER/APPLICANT: GHC Shannon Valley Ranch, LLC

DEEMED COMPLETE: February 28, 2005

FINAL DATE TO TAKE ACTION: Rezoning applications are legislative acts and are therefore not governed by the Permit Streamlining Act.

FINDINGS &:

CONSIDERATIONS ■ The Planning Commission must find that the zone change is consistent with the General Plan if the recommendation is for approval.

ACTION: Recommendation to Town Council

ENVIRONMENTAL  
ASSESSMENT:

An Environmental Impact Report (EIR) and Addendum were previously prepared for this project. The EIR Addendum was certified by the Town Council on March 4, 2002.

EXHIBITS:

- A. Adopted Planned Development Ordinance (24 pages)
- B. Draft (Revised) Planned Development Ordinance (24 pages) with zoning exhibit, conceptual development plans, landscape guidelines and revised grading plan.
- C. Required Finding (one page)
- D. Applicant's letter (two pages), received February 28, 2006
- E. Letter from ENGEO, Inc. (three pages), received February 28, 2006
- F. Site photos (eight pages), received February 28, 2006
- G. Map for site photos (one page), February 28, 2006

RECOMMENDATION

SUMMARY: Recommendation to Town Council

April 12, 2006

appearance and height, and it will be more difficult to maintain continuity with grading and drainage from lot to lot. Staff has experienced these kinds of issues with the Summerhill Homes project on Blossom Hill Road as the hillside lots were individually developed by new buyers.

The proposed areas of extended grading are located behind each of the six homes along the uphill side of Mountain Laurel Lane. The areas are delineated on each home site with stakes and yellow tape (see photos, Exhibit F). Exhibit G shows the locations the photos were taken from. Generally, for every foot of retaining wall, the rear yard will increase by four feet, so a four foot high wall will provide about 16 feet of additional yard area. The applicant's proposal includes walls that will be four feet at the highest point, and will increase the rear yard areas by 7 to 22 feet between the house and wall as measured at the center point. The revised grading plan includes a table summarizing the increase in yard areas for each of the six homes. The grading plan is attached as Exhibit D to the revised PD Ordinance (see Exhibit B). These distances are taken from three points between the house and proposed cut bank and do not reflect varying wall locations along the rear of the houses. The grading plans shows the footprint of the houses along with the toe of slope and proposed wall locations.

A second table includes an earthwork summary that shows the total cut volume at 850 cubic yards. This material will be used elsewhere on the site and will not need to be hauled away. Some dirt will be used to backfill previously approved walls, and some will be spread in open space areas.

The proposed retaining walls will all be situated below the v-ditch that was previously installed as part of site drainage improvements and will be within an artificially created slope area that was established with the construction of the v-ditch. The walls will not be visible from any off-site views, and will be screened from the internal streets by the houses and new landscaping. The walls will be scored precast concrete that will be painted an earthtone color to help blend them with the hillside. The applicant will have photos or a brochure of the wall type at the Commission meeting.

C. RECOMMENDATION:

The Planning Commission should forward a recommendation on the modified grading to the Town Council. A revised PD Ordinance has been prepared for the Commission's consideration (see Exhibit B).

Suzanne Davis  
Prepared by:  
Suzanne Davis, Associate Planner

Bud N. Lortz  
Approved by:  
Bud N. Lortz,  
Director of Community Development

BNL:SD

cc: Tim Stanley, Greenbriar Homes Communities, Inc., 43160 Osgood Road, Fremont, CA 94539

## **ORDINANCE 2097**

### **ORDINANCE OF THE TOWN OF LOS GATOS AMENDING THE TOWN CODE EFFECTING A ZONE CHANGE FROM RC AND HR-5 PREZONE TO HR-5:PD FOR PROPERTY LOCATED AT 17101 HICKS ROAD AND 14045 SHANNON ROAD**

THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES ORDAIN AS FOLLOWS:

#### **SECTION I**

The Town Code of the Town of Los Gatos is hereby amended to change the zoning on property at 17101 Hicks Road and 14045 Shannon Road (Santa Clara County Assessor Parcel Numbers 537-18-001, 567-24-008 and 567-23-041) as shown on the map attached hereto as Exhibit A, and is part of this Ordinance, from RC (Resource Conservation) and HR-5 (Hillside Residential, 5 Acres per Dwelling Unit) to HR-5:PD (Hillside Residential, 5 Acres per Dwelling Unit, Planned Development).

#### **SECTION II**

The PD (Planned Development Overlay) zone established by this Ordinance authorizes the following construction and use of improvements:

1. Demolition of two existing pre-1941 and two post-1941 single family residences and one pre-1941 barn.
2. Construction of 13 new single-family dwelling units and reconstruction of one single-family dwelling that was destroyed by fire.
3. Landscaping, streets, trails, and other improvements shown and required on the Official Development Plan.
4. Dedication of 45.4 acres of hillside and riparian open space as shown on the Official Development Plans.
5. Dedication of trail easements to the Town of Los Gatos as shown on the Official Development Plans.
6. Uses permitted are those specified in the HR (Hillside Residential) zone by Sections 29.40.235 (Permitted Uses) and 29.20.185 (Conditional Uses) of the Zoning Ordinance, as those sections exist at the time of the adoption of this Ordinance, or as they may be amended in the future. However, no use listed in Section 29.20.185 is

5. **RECYCLING.** All wood, metal, glass and aluminum materials generated from the demolished structures shall be deposited to a company which will recycle the materials. Receipts from the company(s) accepting these materials, noting type and weight of material, shall be submitted to the Town prior to the Town's demolition inspection and the issuance of any building permits.
6. **TREE REMOVAL PERMIT.** A Tree Removal Permit shall be obtained for the removal of any ordinance sized tree prior to the issuance of a Building, Grading or Encroachment Permit.
7. **FENCING.** Fence locations shall be reviewed and approved during the Architecture & Site review(s), including privacy and yard fencing. Developer will include in the CC&R's for the project a restriction limiting the home owners from replacing the fence type as installed by the Developer and as shown on the Official Development Plans, or as otherwise approved during the Architecture & Site review(s). Any replacement or addition of other fence types shall be restricted to open fence types including wood with wire mesh and wood or concrete split-rail fencing. Solid fencing will be permitted only where installed by the Developer and as shown on the approved development plans. CC&R's shall require fences to be set back a minimum of 10 feet for from property lines.
8. **BUILDING SQUARE FOOTAGE.** All project homes will be limited to a maximum size of 4,850 square feet with an average of 4,650 square feet, and at least 2/3 of the homes shall be limited to a one story design. Final building design and size will be determined during Architecture and Site review. No further expansion of the homes will be allowed unless this Ordinance is amended by the Town Council. Lot 14 shall be developed under guidelines of a replacement structure and shall be similar in size, mass and scale to the original home that was destroyed by fire.
9. **SETBACKS.** The minimum setbacks are those specified by the HR-5 zoning district.
10. **HEIGHT.** The maximum height for single-story homes shall be 25 feet and the maximum height for two-story homes shall be 30 feet.
11. **EXTERIOR LIGHTING.** All exterior lighting shall be reviewed and approved as part of the Architecture & Site review(s). Lighting shall be down directed, and no street lighting shall be included in the development. If it is determined that lighting is needed for safety reasons at the intersection of Hicks Road and the new road into the development, a street light may be required, but only if there is not alternative safety devices that can adequately delineate the intersection. If it is determined that a new light must be installed, it shall be designed to only illuminate the minimum area necessary for safety.
12. **\*\*BIOLOGICAL RESOURCES MITIGATION MEASURE 6-3a.** During the design phase, the property owner/developer shall implement the following measures:
  - a. Any plan affecting trees shall be reviewed by the Consulting Arborist to ensure that improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans, and demolition plans will not adversely affect the tree to be retained.
  - b. The horizontal and vertical elevations of trees to be preserved within development areas shall be established and included on all plans.
  - c. The Consulting Arborist shall identify a Tree Protection Zone for trees to be preserved in which no soil disturbance is permitted. For design purposes, the Tree Protection Zone shall be defined by the dripline. Where development must encroach

a comprehensive management plan for the trees shall be developed that considers the broad objectives of development as well as the needs of the specific species. This management plan shall specify pruning, fertilization, mulch, pest management, replanting and irrigation requirements. In addition, provisions for monitoring both tree health and structural stability following construction must be made a priority. As trees age, the likelihood of failure of branches or entire trees increases. Therefore, the management plan must include an annual inspection for hazard potential.

16. **\*\*BIOLOGICAL RESOURCES MITIGATION MEASURE 6-4.** To minimize impacts on nesting raptors, the applicant shall complete necessary pre-construction surveys and monitoring. If it is not possible to schedule construction between August and February, then pre-construction surveys for nesting raptors will be conducted by a qualified ornithologist in order to ensure that no raptor nests will be disturbed during project construction. This survey will be conducted no more than 15 days prior to the initiation of construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the biologist will inspect all trees in and immediately adjacent to the impact areas for raptor nests. If an active raptor nest is found close enough to the construction area to be disturbed by these activities, the ornithologist, in consultation with CDFG, will determine the extent of a construction-free buffer zone to be established around the nest.
17. **\*\*BIOLOGICAL RESOURCES MITIGATION MEASURE 6-5a.** To minimize impacts on yellow warblers, the property owner/developer shall retain sycamore riparian habitat along Shannon Creek and shall maintain setbacks of at least 50 feet between proposed development and sycamore riparian habitat. If a small amount of development encroaches into this 50-foot setback, then this encroachment (indirect impact) shall be mitigated by planting riparian habitat at a 1:1 ratio.
18. **\*\*BIOLOGICAL RESOURCES MITIGATION MEASURE 6-5b.** The property owner/developer shall implement the following measures to minimize potential impacts on any roosting bats:
  - a. Surveys shall be conducted up to one year in advance of building demolition and tree removal, if possible, to determine if active roosts are present. These surveys shall not substitute for pre-construction/pre-disturbance surveys for nesting raptors, as bats could move on or adjacent to the site between survey periods. If roosting bats are found during these surveys, either avoidance of the maternity roost season, establishment of buffer zones or exclusion of bats shall be implemented as appropriate.
  - b. Avoidance: Construction activities involving potential roost sites shall be conducted outside the maternity roost season if the project commences after young are volant by July 31 and finished before the formation of maternity roosts begins (as early as March 1).
  - c. Pre-demolition Surveys and Buffer Zones: If the project schedule does not allow for early detection surveys to occur, a pre-demolition survey for roosting bats shall be conducted by a qualified bat biologist 14 days prior to construction as determined by a Memorandum of Understanding with the California Department of Fish & Game

- goal is to create and enhance riparian habitat with habitat functions and values equal to, or greater than those existing along the Shannon Creek drainage and northern drainage. The final species selection and configuration shall be determined during final mitigation design. The trees and shrubs to be installed should be of local origin, preferably contract grown from seed or cuttings from within five miles of the site.
- e. A detailed monitoring plan including specific success criteria shall be developed and submitted to The Town of Los Gatos for approval. The mitigation area will be monitored in accordance with the plan approved by the Town. The basic components of the monitoring plan are final success criteria, performance criteria, monitoring methods, data analysis, as-built plans, monitoring schedule, contingency/remedial measures and reporting requirements.
  - f. Specific success criteria and characteristics shall be developed during preparation of the mitigation and monitoring plan. At a minimum, the final success criteria shall include absolute percent cover by native trees and shrubs of 60% and 40%, respectively. The performance criteria should include tree and shrub survival at three years of 80% of the original planting. If the final encroachment estimates exceed 1.0 acre, monitoring of the mitigation site shall be conducted for 10 years. Annual monitoring reports shall be sent to the appropriate agencies. If the required mitigation planting is less than 1.0 acres, monitoring shall be conducted annually for five years.
  - g. During the development of the riparian restoration plan, an appropriate area (or areas) shall be identified to replace encroachment impacts at a 1:1 basis.
  - h. Maintain Water Quality of the Watershed. The project shall be designed, constructed and built in such a way as to maintain the water quality in the adjacent drainage channels and ponds. Appropriate best management practices (BMPs) shall be developed for the project.
- 20. SOLAR WATER SYSTEM. Each residence shall be pre-plumbed for a solar water heater system prior to issuance of a certificate of occupancy.
  - 21. COLOR REFLECTIVITY DEED RESTRICTION. Prior to the issuance of a building permit, a deed restriction shall be recorded by the applicant with the Santa Clara County Recorder's Office that requires all exterior paint colors to be maintained in conformance with the Town's Hillside Development Standards.
  - 22. SUBDIVISION REQUIRED. A separate tentative map application submittal and approval is required for the proposed project prior to the issuance of building permits.
  - 23. BELOW MARKET PRICE (BMP) IN-LIEU FEE: A Below Market Price (BMP) in-lieu fee shall be paid by the property owner/developer pursuant to Town Code Section 29.10.3025 and any applicable Town Resolutions. The fee amount shall be based upon the Town Council fee resolution in effect at the time a final or vesting tentative map is approved.
  - 24. FINAL CC&R's. Final CC&R's shall be approved by the Town Attorney prior to the recording of the Final Map. The CC&R's shall include provisions for traffic circulation, vehicle parking enforcement procedures, and landscaping, exterior lighting and fencing restrictions. The approved CC&R's shall become conditions of this Ordinance.

***Building Division***



to the Building Official for approval prior to issuance of any building permits, in accordance with UBC Section 106.3.5. Please obtain Town Special Inspection form from the Building Division Service Counter. The Town Special Inspection schedule shall be printed on the construction plans.

38. **NON-POINT SOURCE POLLUTION STANDARDS.** The Town standard Santa Clara Valley Non-point Source Pollution Control Program specification sheet shall be part of plan submittal. The specification sheet is available at the Building Division service counter.
39. **ADDITIONAL AGENCY APPROVALS REQUIRED.** The project requires the following agencies approval before issuance of a building permit:
  - a. West Valley Sanitation District 378-2407
  - b. Santa Clara County Fire Department: 378-4010
  - c. Lots 1-13: Los Gatos School District: 335-2000
  - d. Lot 14: Union School District: 377-8010

*Note: Obtain the school district forms from the Town Building Department, after the Building Department has approved the building plans.*

**TO THE SATISFACTION OF THE DIRECTOR OF PARKS & PUBLIC WORKS:**  
**Engineering Division**

40. **GRADING.** Grading shall be kept to a minimum to construct the roads within the project. Any future grading will be considered at the time of Architecture & Site review(s).
41. **GRADING PERMIT.** A grading permit is required for all on-site grading, erosion control and improvements (roadway, storm drainage, utilities, lighting, etc.). A separate application for a grading permit (with grading plans) shall be made to the Engineering Division of the Parks & Public Works Department. The grading plans shall include final grading, drainage, retaining wall location, driveway, utilities and interim erosion control. Unless specifically allowed by the Director of Parks & Public Works, the grading permit will be issued concurrently with the building permit.
42. **SOILS REPORT.** One copy of the soils and geologic report shall be submitted with the grading permit application. The soils report shall include specific criteria and standards governing site grading, drainage, pavement design, retaining wall design, and erosion control. The report shall be signed and "wet stamped" by the engineer or geologist, in conformance with Section 6735 of the California Business and Professions Code.
43. **FINAL MAP.** A final map shall be recorded. Two copies of the final map shall be submitted to the Engineering Division of the Parks & Public Works Department for review and approval. The submittal shall include closure calculations, title report and appropriate fees. The map shall be recorded prior to issuance of any building permits for the project.
44. **DEDICATIONS.** The following shall be dedicated prior to issuance of any permits:
  - a. Hicks Road. A 40-foot half street right-of-way with the chord of a 20-foot radius at the intersection with the new street.
  - b. Shannon Road. A 20-foot half street right-of-way.
  - c. New interior streets. A 40-foot street right-of-way with the chord of a 20-foot radius at all intersections and a standard 42-foot radius cul-de-sac.
  - d. Public Service Easement (PSE). Ten (10) feet wide, next to the new street right-of-

hillside areas between October 1 and April 15 of each year. For grading operations commenced before October 1, all grading or earth-disturbing activities shall cease October 15 and will not be allowed to restart until April 15. Grading permits will not be issued between September 15 and April 15. These limitations include, but are not limited to these items: driveways, building pads, foundation trenches and drilled piers, retaining walls, swimming pools, tennis courts, outbuildings and utility trenches. Install interim erosion control measures, shown on the approved interim erosion control plan, by October 1, if final landscaping is not in place. Maintain the interim erosion control measures throughout the October 1 to April 15 period.

52. **GRADING INSPECTIONS.** The soils engineer or her/his qualified representative shall continuously inspect all grading operations. The soils engineer shall submit a final grading report before occupancy/Certificate of Completion.
53. **SURVEYING CONTROLS.** Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered civil engineer qualified to practice land surveying, for the following items:
  - a. Retaining wall--top of wall elevations and locations.
  - b. Toe and top of cut and fill slopes.
  - c. Top of future curb along one side of the new street.
54. **EROSION CONTROL.** Interim and final erosion control plans shall be prepared and submitted to the Engineering Development Division of the Parks & Public Works Department. A Notice of Intent (NOI) shall be submitted to the San Francisco Bay Regional Water Quality Control Board. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted to the Town Engineering Division concurrently with the grading permit application. Grading activities shall be limited to the period of least rainfall (April 15 to October 1). A maximum of two weeks is allowed between clearing of an area/building on an area if grading is allowed during the rainy season. In addition, straw bales and plastic sheeting shall be stored on-site for emergency control, if needed. Install fiber berms, check dams, retention basins, silt fences, erosion control blankets and fiber rolls as needed on the project site, to protect down stream water quality during winter months.
55. **SILT AND MUD IN PUBLIC RIGHT-OF-WAY.** It is the responsibility of contractor and home owner to make sure that all dirt tracked into the public right-of-way is cleaned up on a daily basis. Mud, silt, concrete and other construction debris SHALL NOT be washed into the Town's storm drains or creeks.
56. **NPDES REQUIREMENTS.** All work within the project shall be in conformance with the National Pollution Discharge Elimination System permit issued to local agencies within Santa Clara County by the San Francisco Bay Regional Water Quality Control Board on October 17, 2001.
57. **FISH & GAME REQUIREMENTS.** A "1603" permit shall be obtained for the California Department of Fish & Game for proposed improvements in or near riparian areas within that agency's jurisdiction. A copy of the permit shall be provided to the Parks & Public Works Department before any permits are issued/final map is recorded.
58. **UTILITIES.** The developer shall install all utility services, including telephone, electric power and all other communications lines underground, as required by Town Code §27.50.015(b). Cable television capability shall be provided to all new lots.

- SWPPP shall be in conformance with the Santa Clara County NPDES Permit as amended by the San Francisco Bay Regional Water Quality Control Board (RWQCB) on October 17, 2001. The SWPPP shall be approved concurrently with the grading, drainage and erosion control plans. Reference the Addendum to the EIR for additional details.
69. **\*\*HYDROLOGY AND WATER QUALITY MITIGATION MEASURE** The project design shall incorporate water quality mitigation measures in accordance with current NPDES requirements. Water quality measures should include use of biofilters, drainage swales, and detention facilities to mitigate non-point source impacts. In addition, the SCVWD and RWQCB recommend the incorporation of site planning design measures to help reduce potential contributions of urban pollutants from the project. See the Addendum to the EIR for additional details.
70. **\*\*TRANSPORTATION AND TRAFFIC MITIGATION MEASURE 8-2.** In order to minimize potential traffic safety impacts the property owner/developer shall take the following measures:
- Adequate sight distance shall be provided for the project access road/Hicks Road intersection through removal of vegetation and grading of the embankment.
  - A stop sign shall be installed to control traffic on the project access road to Hicks Road. The stop sign for the proposed driveway shall be located along and parallel to the north edge of pavement on Hicks Road.
  - Warning signs shall be installed indicating a "T" intersection along Hicks Road approaching the new driveway. These signs shall be located approximately 300 feet east and west of the project entrance/Hicks Road intersection.
  - Traffic reflectors shall be installed on the south side of Hicks Road at the intersection with the entrance road to the project.
71. **\*\*TRANSPORTATION AND TRAFFIC MITIGATION MEASURE 8-3.** A separate pedestrian trail shall be installed along the north side of Hicks Road.
72. **\*\*TRANSPORTATION AND TRAFFIC MITIGATION MEASURE 8-4.** Use of trails by bicyclists, particularly the trail parallel to Hicks Road, shall be considered during Architecture and Site review. In addition, design issues such as the appropriateness of trail widths, pavement versus compacted earth, and trailhead facilities shall be considered during Architecture and Site Review.
73. **GEOTECHNICAL REVIEW OF SUBDIVISION IMPROVEMENT PLANS.** The project geotechnical consultant shall review and approve all geotechnical aspects of the subdivision improvement plans to ensure that their recommendations have been properly incorporated. The results of the plan review shall be summarized by the geotechnical consultant in a letter and submitted to the Town Engineer for review, prior to issuance of permits for construction of subdivision level improvements.
74. **GEOTECHNICAL PLAN REVIEW (LOTS 1 THROUGH 13).** The project geotechnical consultant shall review and approve all geotechnical aspects of the project building and grading plans for individual residences on Lots 1 through 13. To ensure that their recommendations have been properly incorporated. The consultant shall verify that recommended measures to address potential debris flows on Lot 6, and potential co-seismic ground deformation on Lots 1 and 13 have been incorporated.
75. **GEOTECHNICAL INVESTIGATION (LOT 14).** The project geotechnical consultant shall

not exceed 5,000 square feet. The landscape guidelines are attached as Exhibit C.

Gatos on March 4, 2002, and adopted by the following vote as an ordinance of the Town of Los Gatos at a meeting of the Town Council of the Town of Los Gatos on March 18, 2002 and takes effect 30 days after it is adopted.

COUNCIL MEMBERS:

AYES: Steven Blanton, Sandy Decker, Steve Glickman, Joe Pirzynski,  
Mayor Randy Attaway.

NAYS: None

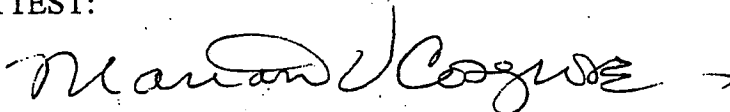
ABSENT: None

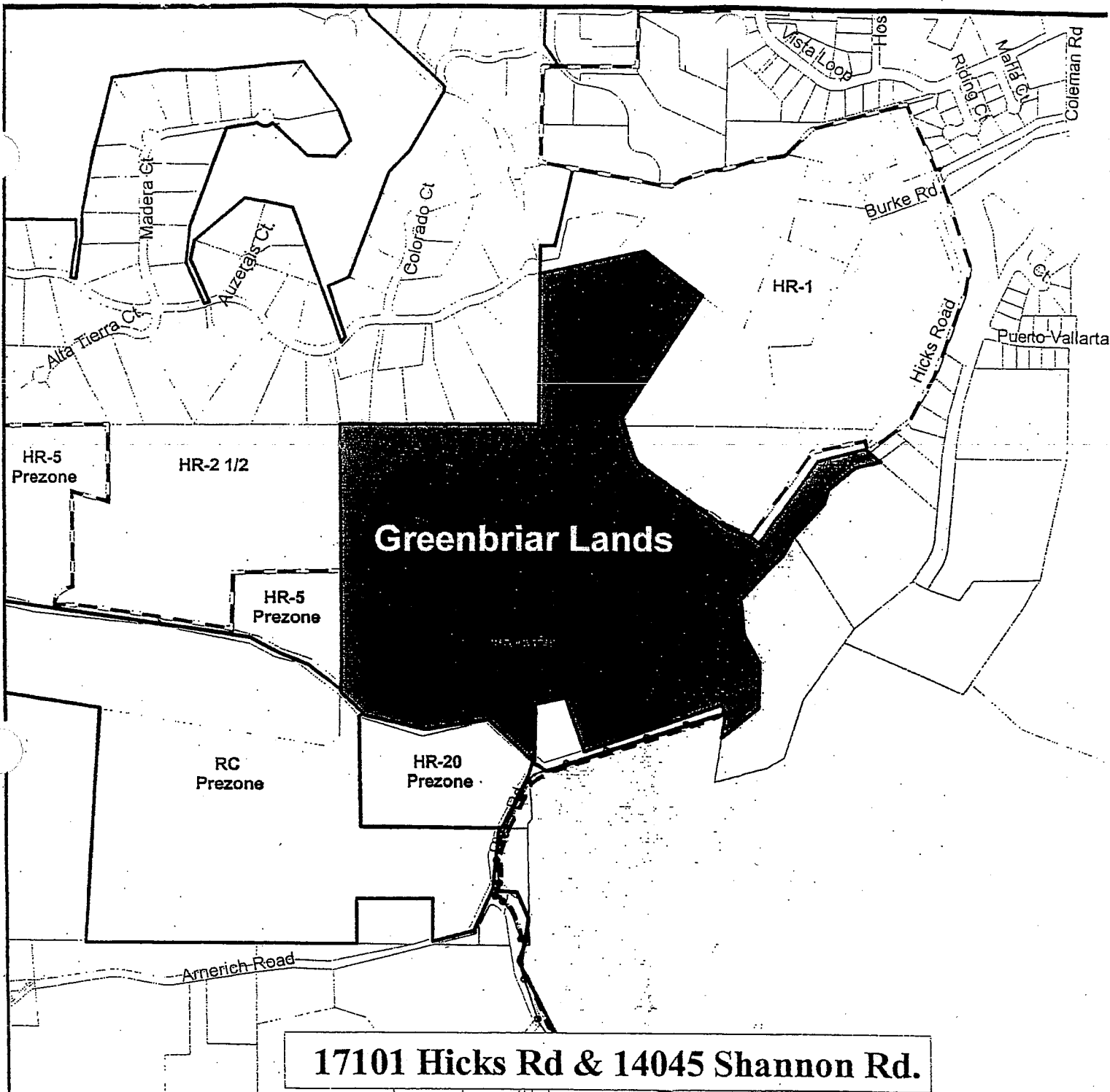
ABSTAIN: None

SIGNED:

  
MAYOR OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA

ATTEST:

  
CLERK OF THE TOWN OF LOS GATOS  
LOS GATOS, CALIFORNIA



## TOWN OF LOS GATOS

Application No. DEV-99-02 A.P.N. # 567-24-008, 567-23-041, 537-18-0  
Change of zoning map amending the Town Zoning Ordinance.

☒ Zone Change

☐ Prezoning

From: RC, HR-5 Prezone To: HR-5:PD

Recommended by Planning Commission

Approved by Town Council

Town Clerk

Date: 3/18/02

Mayor

Date: 1/23/02

Ord: 2097

EXHIBIT A

**PROPOSED LANDSCAPE GUIDELINES  
FOR  
SHANNON VALLEY RANCH**

1. Use native plants, particularly along property boundaries or in corridors viewed from nearby properties. Select trees from the Town's List of Approved Trees and shrubs and ground cover from the Suggested and Supplemental native plant lists attached.
2. Use the landscape plan to address the particular needs of the property such as controlling erosion, providing privacy, creating shade, and softening or mitigating the appearance of structures.
3. Create a SIMPLE and elegant planting scheme that is not elaborate.
4. Make use of existing plant material, especially indigenous grasses, chaparral and oaks. Do not replace with incompatible plant materials. Refer to the Town's List of Approved Trees and the attached Suggested and Supplemental plant lists.
5. Plant in random groupings (cluster planting) rather than in linear form. Allow plants and shrubs to appear to flow across property lines. Avoid a cultivated, formal appearance.
6. Whenever possible leave large areas in grasses and other indigenous plants.
7. Use appropriate plant material in each location such as Alders and Redwoods in damp, shady locations and Oaks in dry, open areas.
8. Consider the future height of trees and shrubs such that major views on-and off-site will not become obstructed.
9. Avoid the introduction of non-indigenous trees that would dramatically alter the character of the landscape.
10. Planting or building of any types of structures within trail easements or conservation easements is prohibited.
11. Adjacent to street rights-of-way or trail easements avoid plantings that would restrict sight distance, require unusual maintenance to keep easements open, or interfere with already established indigenous plantings.
12. Utilize drip or bubbler irrigation to establish plantings. Minimize the use of spray irrigation.
13. Spray irrigation may be used to water lawn areas and to assist in fire suppression adjacent and/or near structures.
14. Lawns shall be limited to 10% of a lot's area and shall be drought tolerant.
15. Fencing is not allowed at property lines. Any new or replacement fences shall be open and rural, such as a wood, a wood-look polymer, or a concrete 3 or 4-rail fence, with or without wire mesh backing. Any wire mesh should be of a color that blends into the background and not white.
16. The use of uplighting is prohibited.
17. Fountains and statues are prohibited in front yard spaces.

SUPPLEMENTAL PLANT LIST  
CALIFORNIA NATURALIZED

TREES

WHITE ALDER  
WESTERN DOGWOOD, PACIFIC DOGWOOD  
TANBARK, OR TAN OAK  
BISHOP PINE  
CALIFORNIA SYCAMORE  
CANYON LIVE OAK  
BLUE OAK

*Alnus rhombifolia*  
*Cornus nuttallii*  
*Lithocarpus densiflorus*  
*Pinus muricata*  
*Platanus racemosa*  
*Quercus chrysolepis*  
*Quercus douglasii*

SHRUBS

CHAMISE  
COAST OR CALIFORNIA SAGEBRUSH  
SPICE BUSH  
BUSH ANEMONE  
WESTERN REDBUD  
SUMMER HOLLY  
CALIFORNIA HAZELNUT  
ISLAND BUSH POPPY  
BUSH POPPY  
CALIFORNIA BUCKWHEAT  
ST. CATHERINE'S LACE  
FLANNEL BUSH  
ISLAND SNAPDRAGON  
CREAM BUSH  
WHITE PITCHER SAGE  
OREGON GRAPE  
CALIFORNIA HOLLY GRAPE  
BUSH MONKEY FLOWER  
PLUMAS MONKEY FLOWER  
PACIFIC WAX MYRTLE  
LEATHER OAK  
REDBERRY  
COAST RHODODENDRON  
LEMONADE BERRY  
SUGARBUSH  
ANY CALIFORNIA CURRANT OR GOOSEBERRY  
MATILJA POPPY  
CALIFORNIA WILD ROSE  
EVERGREEN HUCKLEBERRY

*Adenostoma fasciculatum*  
*Artemisia californica*  
*Calycanthus occidentalis*  
*Carpenteria californica*  
*Cercis occidentalis*  
*Comarostaphylis diversifolia* var. *Planifolia*  
*Corylus cornuta* variety *californica*  
*Dendromecon harfordii*  
*Dendromecon rigida*  
*Eriogonum fasciculatum*  
*Eriogonum giganteum*  
*Fremontodendron* — any are fine  
*Galvesia speciosa*  
*Holodiscus discolor*  
*Lepechinia calycina*  
*Mahonia aquifolium*  
*Mahonia pinnata*  
*Mimulus aurantiacus*  
*Mimulus bifidus*  
*Myrica californica*  
*Quercus durata*  
*Rhamnus crocea*  
*Rhododendron occidentale*  
*Rhus integrifolia*  
*Rhus ovata*  
*Ribes* or *Grossularia*  
*Romneya coulteri*  
*Rosa californica*  
*Vaccinium ovatum*